

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

John E. FOWLKES

Case No.

Case: 2:24-mj-30454

Judge: Unassigned,

Filed: 10-23-2024 At 03:05 PM

CMP USA V. SEALED MATTER (DA

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 9, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:
see attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: October 23, 2024

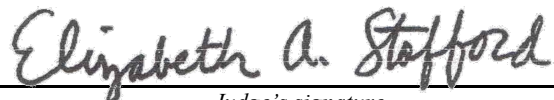
City and state: Detroit, Michigan



Complainant's signature

Eric Miller, Special Agent (ATF)

Printed name and title



Judge's signature

Hon. Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT**

I, Eric Miller, being first duly sworn, hereby state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I began with the ATF in June of 2018. I have a Bachelor of Arts in Criminal Justice and a Bachelor of Arts in Psychology from Michigan State University. I am a graduate of the Criminal Investigator Training Program and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training on firearms identification and common scenarios involving firearms and narcotics trafficking. I was previously employed with the Department of Homeland Security as a federal law enforcement officer and investigator since March 2004.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports by myself and/or other law enforcement agents, review of body worn camera videos and or images, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. ATF is currently conducting a criminal investigation concerning John E. FOWLKES (B/M; DOB: XX/XX/1988) for violation of 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm).

PROBABLE CAUSE

4. I reviewed a computerized criminal history from Michigan, Indiana, and Kentucky for FOWLKES, which revealed the following felony arrests and convictions.

- a. On or about October 30, 2005, FOWLKES was arrested by Detroit Police Department for Dangerous Drugs. On November 7, 2005, FOWLKES pled guilty to a reduced count of felony attempt-controlled substance delivery/ manufacturing (cocaine, heroin, or another narcotic) less than 50 grams. FOWLKES was sentenced to 25 days in jail.
- b. On or about September 24, 2014, FOWLKES was arrested by Indianapolis Metropolitan Police Department and charged with one count of possession of cocaine and one count of dealing in cocaine. On October 15, 2014, pled to one felony count possession of a narcotic drug and sentenced to 365 days in jail with 265 days suspended.

c. On or about June 18, 2015, FOWLKES was arrested the Drug Enforcement Agency (DEA) in Kentucky and charged with the delivery or sale of opium. On November 9, 2015, FOWLKES entered a plea bargain and was convicted of possession with intent of oxycodone. FOWLKES was sentenced to 51 months in prison, supervised release of 72 months, and probation of 72 months.

5. On September 9, 2024, at approximately 10:20 p.m., Detroit Police officers in a marked scout car were on routine patrol in the area of Mackay Street and Victoria Street. Officers observed multiple individuals occupying the public sidewalk in front of 13461 Mackay Street. FOWLKES was sitting in a chair on the sidewalk amongst the group. When officers approached, FOWLKES he quickly stood up from the chair and went up the porch stairs of 13461 Mackay Street. Officers stopped FOWLKES to investigate the impeding of a sidewalk and while speaking with FOWLKES officers observed the grip of a handgun protruding from FOWLKES's right front pocket.

6. When asked if he a Concealed Pistol License (CPL) holder, FOWLKES answered "No". Officers then retrieved a loaded, black Ruger 9mm pistol, Model LC9s, serial number 32872785 from FOWLKES's right front pants pocket. Officers later queried the recovered Ruger pistol and determined the

firearm was reported stolen out of Detroit on or about July 4, 2020. FOWLKES was placed under arrest for carrying a concealed weapon.

7. On September 10, 2024, at approximately 12:00 p.m., FOWLKES was provided his Constitutional Rights notification by Detroit Police Officer Latouf prior to providing a statement. During the statement FOWLKES admitted he was in possession of the black Ruger, Model LC9s, 9mm pistol and that it belonged to him. FOWLKES also admitted he does not have a CPL, nor had he ever applied for one. FOWLKES stated he found the firearm in a park

8. On September 22, 2024, I contacted ATF Interstate Nexus Expert, Special Agent Kara Klupacs and provided a verbal description of the black Ruger, Model LC9s, 9mm pistol recovered by Detroit Police officers on September 9, 2024. SA Kara Klupacs advised the firearm was manufactured outside of the state of Michigan, and therefore has traveled in and affected interstate commerce.

CONCLUSION

9. Based upon the aforementioned facts stated herein, there is probable cause to believe John E. FOWLKES (B/M; DOB: XX/XX/1988), a three time convicted felon aware of his felony convictions, did knowingly and intentionally possess a black Ruger, LC9s, 9mm, pistol, said firearm having affected interstate commerce, in violation of 18 U.S.C. 922(g)(1) (Felon in Possession of a Firearm).

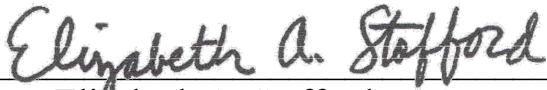
Said violation occurring on or about September 9, 2024, in the city of Detroit, in the County of Wayne, in the Eastern Judicial District of Michigan.

Respectfully submitted,



Eric Miller
Special Agent, ATF

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Hon. Elizabeth A. Stafford
United States Magistrate Judge